

RECEIVED

JUN 24 2009

FAX TRANSMISSION**PCT LEGAL
ADMINISTRATION****DATE:** June 24, 2009**PTO IDENTIFIER:** Application Number 10/526,666 - Conf #3146
Patent Number**Inventor:** Jean-Pierre Lepine**MESSAGE TO:** PCT Legal Office, USPTO**FAX NUMBER:** (571) 273-0459**FROM:** CONNOLLY BOVE LODGE & HUTZ LLP
Morris Liss**PHONE:** (202) 331-7111**Attorney Dkt. #:** 30024-00001-US1**PAGES (Including Cover Sheet):** 8**CONTENTS:** Request for Corrected Filing Receipt (2 pages)
Marked-Up Notice of Acceptance (1 page)
Marked-Up Filing Receipt (1 page)
Decision (2 pages)
Certificate of Transmission (1 page)

If your receipt of this transmission is in error, please notify this firm immediately by collect call to sender at (202) 331-7111 and send the original transmission to us by return mail at the address below.

This transmission is intended for the sole use of the individual and entity to whom it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. You are hereby notified that any dissemination, distribution or duplication of this transmission by someone other than the intended addressee or its designated agent is strictly prohibited.

CONNOLLY BOVE LODGE & HUTZ LLP
1875 Eye Street, NW, Suite 1100, Washington, DC 20006
Telephone: (202) 331-7111 Facsimile: (202) 293-6229

PTO/SB/97 (09-04)

Approved for use through 07/31/2008, OMB 0851-0031

U. S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Application No. (If known): 10/525,666

Attorney Docket No.: 30024-00001-US1

Certificate of Transmission under 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office.

on June 24, 2009
Date



Signature

Lisa Hawkins

Typed or printed name of person signing Certificate

Registration Number, If applicable

(202) 331-7111

Telephone Number

Note: Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper.

Request for Corrected Filing Receipt (2 pages)

Marked-Up Notice of Acceptance (1 page)

Marked-Up Filing Receipt (1 page)

Decision (2 pages)

Docket No.: 30024-00001-US1
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Jean-Pierre Lepine

Confirmation No.: 3146

Application No.: 10/526,666

Group Art Unit: 2859

Filed: November 4, 2008

Examiner: Not Yet Assigned

For: WRISTWATCH

REQUEST FOR CORRECTED FILING RECEIPT

PCT LEGAL OFFICE
Filing Receipt Corrections
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Madam:

Applicant hereby requests that a corrected Notice of Acceptance and Filing Receipt be issued in the above-identified patent application. The official Notice of Acceptance and Filing Receipt received by Applicant, a copy of which are attached hereto, has an error in the Customer Number, correspondence and representative information.

Please note the Attorney Docket No. has been changed to 30024-00001-US1.

After receiving a granted Decision on Petition (copy enclosed), the Notice of Acceptance and Official Filing Receipt still contain incorrect Customer Number, correspondence and representative information.

The incorrect information is listed as:

~~20678~~
~~COMPAQ COMPUTER CORPORATION~~
~~LEGAL DEPARTMENT~~
~~MAIL CODE: M110701, P.O. BOX 692000~~
~~HOUSTON, TX 77269-2000~~

Application No.: Not Yet Assigned

Docket No.: 21424-00012-US1

The correct information is:

30678
CONNOLLY BOVE LODGE & HUTZ LLP
1875 EYE STREET, NW, SUITE 1100
WASHINGTON, DC 20006

As the error was made by the Patent and Trademark Office, it is believed that no fee is due. Please credit our Deposit Account No. 22-0185 as necessary to effect entry of the attached corrections.

Applicant additionally requests that all pertinent U.S. Patent and Trademark Office records relating to the subject application be changed to reflect this correction.

Applicant believes no fee is due with this request. However, if a fee is due, please charge our Deposit Account No. 22-0185, under Order No. 21424-00012-US1 from which the undersigned is authorized to draw.

Dated: June 24, 2009

Respectfully submitted,

By 
Morris Liss

Registration No.: 24,510
CONNOLLY BOVE LODGE & HUTZ LLP
1875 Eye Street, NW
Suite 1100
Washington, DC 20006
(202) 331-7111
(202) 293-6229 (Fax)
Attorney for Applicant



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/526,666	Jean-Pierre Lepine	21424-00012-US1

20678
COMPAQ COMPUTER CORPORATION
LEGAL DEPARTMENT
MAIL CODE: M110701, P.O. BOX 692000
HOUSTON, TX 77269-2000

30678
CONNOLLY BOVE LODGE & HUTZ LLP
1875 EYE STREET, NW, SUITE 1100
WASHINGTON, DC 20006

INTERNATIONAL APPLICATION NO.	
PCT/FR03/02653	
LA. FILING DATE	PRIORITY DATE
09/05/2003	09/05/2002

30024-0001-1151

CONFIRMATION NO. 3146
371 ACCEPTANCE LETTER



Date Mailed: 05/11/2009

NOTICE OF ACCEPTANCE OF APPLICATION UNDER 35 U.S.C 371 AND 37 CFR 1.495

The applicant is hereby advised that the United States Patent and Trademark Office in its capacity as a Designated / Elected Office (37 CFR 1.495), has determined that the above identified international application has met the requirements of 35 U.S.C. 371, and is ACCEPTED for national patentability examination in the United States Patent and Trademark Office.

The United States Application Number assigned to the application is shown above and the relevant dates are:

11/04/2008
DATE OF RECEIPT OF 35 U.S.C. 371(c)(1),
(c)(2) and (c)(4) REQUIREMENTS

11/04/2008
DATE OF COMPLETION OF ALL
35 U.S.C. 371 REQUIREMENTS

A Filing Receipt (PTO-103X) will be issued for the present application in due course. THE DATE APPEARING ON THE FILING RECEIPT AS THE "FILING DATE" IS THE DATE ON WHICH THE LAST OF THE 35 U.S.C. 371 (c)(1), (c)(2) and (c)(4) REQUIREMENTS HAS BEEN RECEIVED IN THE OFFICE. THIS DATE IS SHOWN ABOVE. The filing date of the above identified application is the international filing date of the international application (Article 11(3) and 35 U.S.C. 363). Once the Filing Receipt has been received, send all correspondence to the Group Art Unit designated thereon.

The following items have been received:

- Indication of Small Entity Status
- Copy of the International Application filed on 06/27/2005
- English Translation of the IA filed on 11/04/2008
- Copy of the International Search Report filed on 03/04/2005
- Preliminary Amendments filed on 03/04/2005
- Information Disclosure Statements filed on 03/04/2005
- Oath or Declaration filed on 06/27/2005
- Request for Immediate Examination filed on 11/04/2008
- U.S. Basic National Fees filed on 11/04/2008
- Priority Documents filed on 11/04/2008



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING or 371(c) DATE	ORP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	TOT CLAIMS	IND CLAIMS
10/526,666	11/04/2008	2859	685	21424-00012-US1	11	1

CONFIRMATION NO. 3146

30024-0001 FILING RECEIPT



0000000036830888

~~20678~~
COMPAQ COMPUTER CORPORATION
LEGAL DEPARTMENT
MAIL CODE: M110701, P.O. BOX 652000
HOUSTON, TX 77269-2000

30678
CONNOLLY BOVE LODGE & HUTZ LLP
1875 EYE STREET, NW, SUITE 1100
WASHINGTON, DC 20006

Date Mailed: 05/11/2009

Receipt is acknowledged of this non-provisional patent application. The application will be taken up for examination in due course. Applicant will be notified as to the results of the examination. Any correspondence concerning the application must include the following Identification Information: the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please submit a written request for a Filing Receipt Correction. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections.

Applicant(s)

Jean-Pierre Lepine, Saint Lupicin, FRANCE;

Power of Attorney:

~~Merle-Liss 24510~~ The patent practitioners associated with Customer Number 30678

Domestic Priority data as claimed by applicant

This application is a 371 of PCT/FR03/02853 09/05/2003

Foreign Applications

FRANCE 0211025 09/05/2002

If Required, Foreign Filing License Granted: 05/05/2009

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is US 10/526,666

Projected Publication Date: 08/20/2009

Non-Publication Request: No

Early Publication Request: No

** SMALL ENTITY **

17 FEB 2009

mL



United States Patent and Trademark Office

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

Connolly Bove Lodge & Hutz LLP
1875 Eye Street, NW, Suite 1100
Washington, DC 20036-3425

In re Application of
Lepine
Application No.: 10/526,666
PCT No.: PCT/FR2003/002653
Int. Filing Date: 05 September 2003
Priority Date: 05 September 2002
Attorney Docket No.: 21424-00012-US1
For: Wristwatch

DECISION

This is with regard to the petition filed on 04 November 2008, which seeks relief under 37 CFR 1.181 or, alternatively, 37 CFR 1.137(b).

BACKGROUND

This international application was filed on 05 September 2003, designated the United States, and claimed an earliest priority date of 05 September 2002. Accordingly, the 30 month time period for paying the basic national fee in the United States expired at midnight on 05 March 2005. This international application became abandoned with respect to the national stage in the United States for failure to timely pay the basic national fee, as of midnight on 05 March 2005.

On 20 July 2005, a Notification of Abandonment (Form PCT/DO/EO/909) was mailed, reflecting the abandonment of the application with respect to the U.S.

On 25 August 2005, another Notification of Abandonment (Form PCT/DO/EO/909) was mailed, reflecting the abandonment of the application with respect to the U.S.

DISCUSSION*Petition Under 37 CFR 1.181*

Petitioner requests withdrawal of the holding of abandonment, on the basis that the Notifications of Abandonment were mailed to the address associated with Customer No. 20678, rather than 30678. Inspection of the Transmittal Letter and ADS filed on 04 March 2005 reveal that both identify Customer No. 30678 as the correspondence address; accordingly, the Notifications mailed on 20 July 2005 and 25 August 2005 were sent to the wrong address. As such, they were defective, and they are hereby VACATED. However, counsel is respectfully advised that this international application became abandoned with respect to the national stage in the United States under 35 U.S.C. 371(d) as of midnight on 05 March 2005, one day after the filing of correspondence on 04 March 2005 (and prior to the mailing of the Notifications of Missing Requirements). Thus, the erroneous entry of the correspondence address into the records of the USPTO, and the erroneous mailings of the Notifications of Abandonment noted above, did not affect the fact of abandonment (that is, the application would have been regarded

21424-1248
DOCKETED
By *cm* Date 2/19/09

Application No.: 10/526,666

-2

as abandoned regardless of the correspondence address). As such, it would not be appropriate to withdraw the holding of abandonment on the basis of the present record.

Petition Under 37 CFR 1.137(b)

Petitioner requests alternative relief under 37 CFR 1.137(b).

Petitioner states that "the entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional." Said statement is being accepted in satisfaction of 37 CFR 1.137(b)(3).

Applicant has filed the required reply in the form of the basic national fee. The fee authorization included in the petition is interpreted to grant authority to charge the petition fee. Therefore, the request to revive the application abandoned under 35 U.S.C. 371(d) is granted as to the national stage in the United States of America.

Counsel's Deposit Account No. 22-0185 is being charged in the amounts of \$810.00 (fee code 2453), \$65.00 (fee code 2617) and \$130.00 (fee code 1618) for the petition fee, surcharge under 37 CFR 1.492(h) and processing fee under 37 CFR 1.492(i), respectively.

DECISION

The petition under 37 CFR 1.181 is **DISMISSED**, without prejudice.

The petition under 37 CFR 1.137(b) is **GRANTED**.

This application is being forwarded to the Office of Patent Application Processing for further processing, including the correction of the correspondence address to the address associated with Customer No. 30678. The date of the application under 35 U.S.C. 371(c)(1), (2) and (4) is **04 November 2008**.

/George Dombroske/
George Dombroske
PCT Legal Examiner
Office of PCT Legal Administration
Tel: (571) 272-3283
Fax: (571) 273-0459

*** RX REPORT ***

RECEPTION OK

TX/RX NO	7879
RECIPIENT ADDRESS	202 331 7111
DESTINATION ID	
ST. TIME	06/24 13:11
TIME USE	02'41
PGS.	8
RESULT	OK